

REMARKS

The present amendment is in response to the Office Action mailed August 23, 2004, in which claims 1-14 were rejected. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the reference cited therein. The following remarks are fully responsive to the Office Action and, when coupled with the above amendments, render the claims at issue patentably distinguishable over the cited reference.

Claims 1-14 remain pending. Claims 1, 2, 6, 8, 9-11, 13 are amended, claims 3-4 are cancelled and claims 15-19 are added herein. Applicants respectfully submit that no new matter has been added and that the originally-filed specification, drawings, and claims support the amendments.

1. Allegedly Defective of the Oath/Declaration

The Office Action alleged that the declaration is defective, as it states that the invention "are original, first, and sole inventors of the subject matter ..." the Office Action states that the word "sole" should be replaced with "joint." Applicants respectfully request that this rejection be withdrawn. Although the term "joint" may have been a more appropriate term, the use of the term "sole" in this context does not render the declaration defective. In this regard, 37 CFR 1.67(a) was amended such that it no longer requires that the inventors be identified as either "sole" or "joint" (this used be a requirement). Instead, 37 CFR 1.67(a) only requires that the declaration identify the inventors as "original" and "first." Therefore, the term "sole", as used in the present declaration is superfluous, and does not render the declaration defective. Further, the term is part of a phrase "sole inventors." Construed as part of this phrase, it simply means that there are no other inventors, other than those specifically listed on the declaration.

2. Rejection of Claims 1-14 under 35 U.S.C. 103(a)

The Office Action has rejected claims 1-14 under 35 U.S.C. §103(a), as allegedly unpatentable over Khan et al. (US patent 6,399,166) in view of Noy et al. and Piner et al..

Applicants amend claims 1-14 to overcome the rejection. Applicants have also added claims 15-19, which also define over the cited art.

In particular, the rejections are respectfully traversed on the basis that the combination of the Khan et al. (US patent 6,399,166), Noy et al. and Piner et al. do not teach the limitations of amended claim 1 and 8 (and newly added claim 15) of the present application.

As recited in the amended claim 1 and 8 (and newly added claim 15) of the present application, the material formed in the dip-pen is a polarizer material, such as a dichroic material or a birefringent material. Additionally, the polarizer material is transferred to the polarizer base through a dip-pen.

In contrast, the Khan's invention does not teach using a dip-pen to transfer the polarizer material to a polarizer base. Instead, Khan only disclosed using a squeegee moved along the plate surface to arrange the direction of the polarizer material molecule.

Although the Noy and piner teach transferring material from a die-pen to a sample, Noy also addresses that not all material can be transferred from a die-pen to a sample, as described in the paragraph 2. In other words, it is not obvious for a person of the skill in the art to infer a polarizer material can be transferred from a die-pen to a polarizer base.

Additionally, the Khan teaches using mechanically stretching force to arrange the molecule. However, the dip-pen method of the present application does not generate a mechanically stretching force. In other words, if one of ordinary skill in the art wants to arrange molecule by mechanically stretching force, he would not infer using a dip-pen to transfer polarizer material to a polarizer base.

Accordingly, since the arrange force generating method disclosed in these cited references are different in nature, it is non-obvious for one of ordinary skill in the art to combine these references to infer the present invention as recited in amended claims 1 and 8 and newly added claim 15. Likewise, by virtue of their dependence on patentable claims 1, 8 and 15, respectively, claims 2, 5-7, 9-14 and 16-19 are also nonobvious and patentable over Khan, Noy and Piner invention.

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims as currently presented are in condition for allowance and hereby respectfully request reconsideration. Applicants respectfully request the Examiner to pass the case to issue at the earliest convenience.

Applicants have thoroughly reviewed the art cited but not relied upon by the Examiner. Applicants have concluded that these references do not affect the patentability of the claims as currently presented.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

By:



Daniel R. McClure
Registration No. 38,962

Thomas, Kayden, Horstemeyer & Risley, LLP
100 Galleria Pkwy, NW
Suite 1750
Atlanta, GA 30339
770-933-9500